

REMARKS

While independent claims 1, 7, and 14 and respective dependent claims except claim 15 stand rejected under 35 U.S.C. §102(e) over Sakuyama et al., the claims 15 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable further in view of Hayes, Jr., et al. In addition, independent claim 22 along with associated dependent claims was rejected over Edge in view of Sakuyama. By this amendment, independent claims 1, 7, 14, and 22 are amended. To comply with matters of form dependent claims 2, 9, 10-13, 16, 18, 19, 23, 24, 28, and 29 are amended. No new matter is added. Claims 30-36 are cancelled without prejudice.

As amended, claim 1 includes the limitation "generating a device profile based on receiving image information associated with a graphical object." Sakuyama, in contrast, simply teaches a system and method for controlling an on/off operation of a color matching process performed by an application using a drawing command. That is, *generating a device profile based on receiving image information associated with a graphical object* teaching is absent in Sakuyama. To accommodate different input and output color spaces, it would be beneficial to provide a technique (apparatus and method) to generate device profiles for graphical objects in a dynamic or automatic fashion. For this reason alone, claim 1, and the claims depending therefrom are allowable.

Specifically, it appears Sakuyama merely uses a device profile 27 to perform the color matching process. See column 9, lines 35-58. There is no generation of a device profile based on received image information as claimed in amended claim 1. Absent such a teaching, the Sakuyama reference fails to anticipate all the limitations of the amended claim 1. Therefore, Applicants believe that claim 1 and the claims depending thereon are in condition of allowance.

Based on at least the reasons set forth above, the independent claims 7 and 14 are patentably distinguishable over the Sakuyama reference because there is no teaching generating a device profile from received image information and identifying the same. In view of the arguments presented above, the Applicants respectfully request the Examiner that independent claims 7 and 14 as amended and the respective dependent claims therefrom are now in condition for allowance.

The allowability of claims 22-29 indicated in the previous Office action was withdrawn by the Examiner over the Edge reference and in view of the Sakuyama reference. However, as amended claim 22 now calls for "selectively generating a current device profile for a color management system" based on a comparison of a prior received image and device profile information with received image and device profile information associated with a graphical object. On the contrary, the Edge reference purportedly teaches mapping color between different devices, and it appears that the Sakuyama reference merely uses a device profile to perform a color matching process. As noted by the Examiner,

the Edge reference fails to teach or suggest receiving image and device profile information associated with a graphical object. The Sakuyama reference does not teach a selective generation of a current device profile based on the recited comparison. Thus, there is no selective generation of a current device profile based on a comparison of a prior received and a received image and device profile information associated with a graphical object. However, amended claim 22 includes both the limitations. Accordingly, either alone or in combination, the Edge and Sakuyama references fail to teach or suggest the claim 22.

Furthermore, without a specific hint or suggestion of motivation to combine the use of a single, a priori device profile, or that such combination would produce the claimed invention of claim 22, a *prima facie* of obviousness can not be made out. Even if combinable, the Edge and Sakuyama references fail to teach all the limitations of independent claim 22. Rather, combining the teaching of using a single, a priori device profile of the Sakuyama reference renders the combination claimed in claim 22 unobvious because selective generation of a current device profile is not taught or disclosed, let alone suggested by the cited references. Therefore, Applicants believe that the obviousness rejection of claim 22 and the dependent claims therefrom is improper and respectfully request the withdrawal of same. Accordingly, claim 22 and the depending claims thereon are in condition of allowance. The Examiner is requested to reconsider the pending claims.

Attached is an appendix, which shows the changes to the claims. The Examiner is encouraged to review those changes to ensure that the claims, as set forth herein, correspond accurately to the claims in the appendix and no inadvertent errors have occurred.

In view of these remarks and amendments, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,



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APPENDIX OF CLAIMS

1 1. (Amended) A method comprising:
2 receiving a graphical object having associated [profile] image information;
3 generating a device profile based on the associated [profile] image information; and
4 identifying the device profile to a color management system.

1 2. (Amended) The method of claim 1, wherein generating [a] the device profile
2 comprises:
3 storing a portion of the associated [profile] image information in a profile file;
4 associating a filename with the profile file; and
5 communicating the filename to the color management system.

1 3. (Amended) The method of claim 2, wherein storing a portion of the associated
2 [profile] image information comprises storing a value representative of a color relation between an
3 input color space and a profile color space.

1 7. (Amended) A program storage device, readable by a device, comprising:
2 instructions stored thereon for causing the device to
3 receive a graphical object having associated [profile] image information;
4 generate a device profile based on the associated [profile] image information; and
5 identify the device profile to a color management system.

1 9. (Amended) The program storage device of claim 7, wherein the instructions to
2 generate [a] the device profile comprise instructions to:
3 store a portion of the associated [profile] image information in a profile file; and
4 remove the associated [profile] image information from the graphical object to
5 generate a second graphical object.

1 10. (Amended) The program storage device of claim 7, wherein the instructions to
2 identify comprise instructions to:
3 associate a filename with the device profile; and

4 communicate the filename to the color management system.

1 11. (Amended) The program storage device of claim [7] 8, wherein the color
2 management system comprises an application program to render the received image.

1 12. (Amended) The program storage device of claim [7] 8, further comprising
2 instructions to communicate the graphical object to the color management system.

1 13. (Amended) The program storage device of claim [7] 12, wherein the color
2 management system comprises an application to render the received image.

1 14. (Amended) A system comprising:
2 a computer system having a bus;
3 a device, operatively coupled to the bus, to capture a graphical object, the graphical
4 object having [a] an image profile information portion and a data portion; and
5 a generator, operatively coupled to the device, to generate a device profile based on
6 the image profile information portion.

1 16. (Amended) The system of claim 14, wherein the device profile comprises an
2 illuminant tag attribute value.

1 18. (Amended) The system of claim 14, wherein the device profile comprises [an] a
2 measurement tag attribute value.

1 19. (Amended) The system of claim 14, further comprising a circuit, operatively coupled
2 to the generator, to communicate the device profile to a color management system.

1 22. (Amended) A method comprising:
2 receiving a graphical object having [a] an image and device profile information part
3 and a data part;

4 comparing at least a portion of the image and device profile information part to at
5 least a portion of a prior received image and device profile information part and, based on the
6 comparison, [identifying] selectively generating a current device profile [information part to] for a
7 color management system.

1 23. (Amended) The method of claim 22, wherein the current device profile [information
2 part] comprises at least a portion of the image and device profile information part.

1 24. (Amended) The method of claim 22, wherein the current device profile [information
2 part] comprises at least a portion of the prior received image and device profile information part.

1 28. (Amended) The method of claim 22, wherein [identifying] selectively generating the
2 current device profile information part comprises:
3 generating a device profile based on the image and device profile information part;
4 identifying the device profile to the color management system; and
5 storing the generated device profile.

1 29. (Amended) The method of claim 28, wherein [identifying] selectively generating the
2 device profile to the color management system comprises notifying the color management system
3 through an application programming interface call.

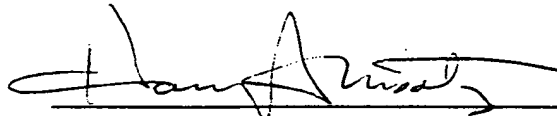
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